

## LBNL – PROCUREMENT STANDARD PRACTICES

Section: 23 Environment and Occupational Safety

Subject: 23.1 Environment, Safety, and Health

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**PURPOSE:** This standard practice (SP) provides for the inclusion of appropriate environmental, safety, and health (ES&H) clauses in subcontracts issued by the Laboratory.

**POLICY:** The Laboratory will address environmental and occupational safety and health concerns in appropriate subcontracts and provide for flowdown of those provisions to appropriate lower tier subcontractors.

**SCOPE:** This SP applies to all subcontracts involving work to be performed on Laboratory premises.

### PROCEDURES:

**Subcontracts** To ensure that subcontractors comply with Laboratory ES&H requirements, the *Work on University or Government Premises* clause must be incorporated into all subcontracts involving work to be performed at the Laboratory.

**Noncompliance** In accordance with the provisions of the *Work on University or Government Premises* clause, the subcontractor must be notified in writing of any noncompliance with Laboratory and/or DOE ES&H requirements. The subcontractor must immediately take appropriate corrective action. If the severity of the noncompliance warrants, a stop-work order directing the subcontractor to stop all or any part of the work may be issued. At the discretion of the Laboratory, a start-work order to resume the work may be issued after the appropriate corrective actions have been taken by the subcontractor. The subcontractor cannot make a claim for an extension of time, compensation, or damages related to a stop-work order for its noncompliance with ES&H requirements.

**Construction Subcontracts** SP 36.1, *Construction Subcontracting*, contains ES&H requirements applicable to construction subcontracts.

**CLAUSE:** Include the *Work on University or Government Premises* clause, which is in our General Provisions, in all subcontracts involving work on Laboratory premises. This clause comes from the University Business and Finance Bulletin 43 (BUS-43), Exhibit C, Appendix A, Article 16.

### RESPONSIBILITIES:

**Procurement Specialist** The procurement specialist must:

- Include the *Work on University or Government Premises* clause in all subcontracts involving work on Laboratory premises;

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- Notify the subcontractor in writing of any noncompliance with Laboratory and/or DOE ES&H requirements; and
- If warranted, direct the subcontractor to stop work until appropriate corrective actions have been taken.

### **REFERENCES:**

Prime Contract Clause I.86 – Integration of Environment, Safety, and Health into Work Planning and Execution.

University of California Business and Finance Bulletin 43, Exhibit C, Appendix A, Article 16.